

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

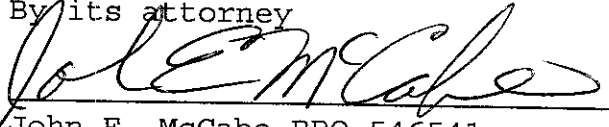
DOCKET NO.: 03-12462-RCL
2004 APR 16 P 1:33

GRIFFIN MANUFACTURING)
COMPANY, INC.)
Plaintiff)
VS.)
ST. GERMAIN'S WAREHOUSE)
CO., INC.)
Defendant)

DEFENDANT'S MOTION TO.
TO CONTINUE SCHEDULING
CONFERENCE

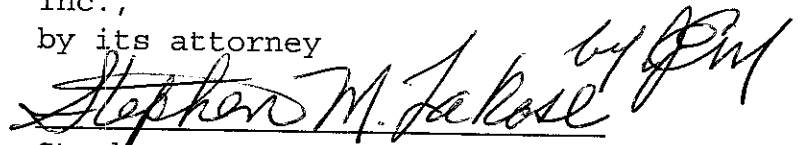

The defendant, St. Germain's Warehouse Co., Inc., by its attorney, respectfully moves that this Honorable Court continue the scheduling conference set for April 22, 2004. In support thereof defendant, St. Germain's Warehouse Co., Inc., states that its attorney will be out of the state on the date (Thursday, April 22, 2004) that the scheduling conference is presently scheduled for. In support of the foregoing, St. Germain's Warehouse Co., Inc. refers the court to and relies upon the affidavit of counsel, John E. McCabe, in this matter.

Defendant,
St. Germain's Warehouse Co., Inc.,
By its attorney


John E. McCabe BBO 546541
47 Church Street
Wellesley, MA 02482
Phone 781-237-8500
Facsimile 781-237-5765

Assented to:

Plaintiff,
Griffin Manufacturing Company,
Inc.,
by its attorney

by 

Stephen M. LaRose, Esq.
Nixon Peabody, LLP
101 Federal Street
Boston, MA 02110-1832
Phone 617-345-1000
Facsimile 617-345-1300

Dated: April 9, 2004

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

DOCKET NO.: 03-12462-RCL

GRIFFIN MANUFACTURING)
COMPANY, INC.)
Plaintiff)
VS.)
ST. GERMAIN'S WAREHOUSE)
CO., INC.)
Defendant)

AFFIDAVIT OF JOHN E. MCCABE, ESQUIRE IN
SUPPORT OF MOTION TO CONTINUE SCHEDULING CONFERENCE

I, John E. McCabe, hereby depose and state the following:

1. I am the attorney of record for the defendant, St. Germain's Warehouse Co., Inc.
2. This matter was recently scheduled for a scheduling conference on April 22, 2004.
3. I will be put of state on April 22, 2004 and returning on April 25, 2004.

Signed under the pains and penalties of perjury this 9th
day of April 2004.


John E. McCabe

CERTIFICATE OF SERVICE
NOTICE OF MARKING

I, John E. McCabe, have served the foregoing motion: Motion to continue Scheduling Conference along with supporting affidavits on plaintiff/defendant by mailing same first class mail postage pre-paid on April 9, 2004 to:

Stephen M. LaRose, Esq.
Nixon Peabody, LLP
101 Federal Street
Boston, MA 02110-1832
617-345-1000

AND BY FACSIMILE TO 617-345-1300

SAID MOTION HAS BEEN ASSENTED TO

Signed under the pains and penalties of perjury this 9TH day of April 2004.

John E. McCabe BBO 546541
47 Church Street
Wellesley, MA 02482
781-237-8500